

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY J. BRITT,

Petitioner,

vs.

DIANE SABATKA-RINE,

Respondent.

8:22CV380

ORDER

This matter is before the Court on Petitioner's Motion for Extension of Time. [Filing No. 11](#). Petitioner seeks a 90-day extension to file his response to Respondent's answer and separate brief, which he acknowledges he has not yet received. However, Respondent has not yet filed her answer and separate brief and has until March 29, 2023 to do so. Once Respondent files and serves her answer and brief, Petitioner will have 30 days thereafter to file his brief in response. See [Filing No. 6 at 5](#). Thus, Petitioner's brief is not due until, at the earliest, April 28, 2023. Accordingly, the Court will deny Petitioner's motion for extension as premature and without prejudice to reassertion upon a showing of good cause should Petitioner require additional time to file his brief after receiving Respondent's answer and brief.

IT IS THEREFORE ORDERED that: Petitioner's Motion for Extension of Time, [Filing No. 11](#), is denied as premature and without prejudice to reassertion.

Dated this 23rd day of March, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long horizontal stroke at the end.

Joseph F. Bataillon
Senior United States District Judge